

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 25, 2008

Senate Chamber

President Risch called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Pearce and Siddoway, absent and formally excused by the Chair; and Senator McKenzie, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Jordan Lierz, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 24, 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 25, 2008

The JUDICIARY AND RULES Committee reports that **S 1339, S 1340, S 1341, S 1342, S 1343, S 1344, and S 1345** have been correctly printed.

DARRINGTON, Chairman

S 1339 was referred to the Judiciary and Rules Committee.

S 1340, S 1341, S 1342, S 1343, S 1344, and S 1345 were referred to the Health and Welfare Committee.

January 24, 2008

The AGRICULTURAL AFFAIRS Committee reports out **S 1305** with the recommendation that it do pass.

GANNON, Chairman

S 1305 was filed for second reading.

January 25, 2008

The FINANCE Committee reports out **H 373** and **H 374** with the recommendation that they do pass.

CAMERON, Chairman

H 373 and **H 374** were filed for second reading.

January 25, 2008

The STATE AFFAIRS Committee reports out **HCR 34** with the recommendation that it do pass.

MCKENZIE, Chairman

HCR 34 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Heidi Hayson of Coeur d'Alene, Idaho, was appointed as a member of the Idaho Bingo-Raffle Advisory Board to serve a term commencing March 13, 2007, and expiring January 7, 2010.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Carla R. Campo of Fruitland, Idaho, was appointed as a member of the Idaho Bingo-Raffle Advisory Board to serve a term commencing March 13, 2007, and expiring January 7, 2009.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Long of Eagle, Idaho, was appointed as a member of the Idaho Outfitters and Guides Licensing Board to serve a term commencing April 20, 2007, and expiring April 20, 2010.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Nick Purdy of Picabo, Idaho, was appointed as a member of the Idaho Board of

Environmental Quality to serve a term commencing July 1, 2007, and expiring July 1, 2011.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John R. MacMillan of Buhl, Idaho, was appointed as a member of the Idaho Board of Environmental Quality to serve a term commencing July 1, 2007, and expiring July 1, 2011.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Health and Welfare Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Royce C. Chigbrow of Boise, Idaho, was appointed as a member of the State Tax Commission to serve a term commencing April 16, 2007, and expiring April 1, 2013.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Local Government and Taxation Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Milford Terrell of Eagle, Idaho, was appointed as a member of the State Board of Education to serve a term commencing March 1, 2007, and expiring March 1, 2012.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Richard D. Westerberg of Preston, Idaho, was appointed as a member of the State Board of Education to serve a term commencing April 5, 2007, and expiring March 1, 2009.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Education Committee.

January 23, 2008

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Judie Wright of Boise, Idaho, was appointed as Administrator of the Department of Human Resources to serve a term commencing January 10, 2007, and serving at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 25, 2008

Mr. President:

I transmit herewith **H 343, H 344, H 345, H 346, H 349, H 357, and H 358** which have passed the House.

ALEXANDER, Chief Clerk

H 343, H 344, H 345, H 346, H 349, H 357, and H 358 were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that **SJM 108** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Kelly, seconded by Senator Stegner, **SJM 108** was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

H 343, H 344, H 345, H 346, H 357, and H 358, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

H 349, by State Affairs Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1246, S 1247, S 1248, S 1288, S 1270, S 1271, and S 1272, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator McKenzie was recorded present at this order of business.

S 1308 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Pearce, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared **S 1308** passed, title was approved, and the bill ordered transmitted to the House.

S 1309 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Richardson, Sagness (Malepeai), Schroeder, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Pearce, Siddoway. Total - 2.

Total - 35.

Whereupon the President declared **S 1309** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:01 p.m. until the hour of 11:30 a.m., Monday, January 28, 2008.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary